

TOWNSEND  
and  
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and  
CREW  
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May 22, 2008

**VIA EMAIL AND U.S. MAIL**

Mr. John H. Mitchell  
Law Offices of John H. Mitchell  
600 S. Main Street, Suite 900  
Orange, CA 92868

**Re: Williams-Sonoma v. Cocoon Furnishings, et al.; Case No. C-07-04017 JSW**

Dear Mr. Mitchell:

During the case management conference on May 16, Judge White asked us to consider consenting to the jurisdiction of a magistrate judge. We are willing to agree to Magistrate Judge Elizabeth Laporte or else stay with Judge Jeffrey White. Please let me know if you agree to Judge Laporte as soon as possible so we can file the joint statement tomorrow.

We note that you failed to comply with the May 12 court order to serve us with your initial disclosures on May 16, 2008. Please send us your F.R.C.P. 26(a) disclosures no later than **May 23, 2008** or else we will consider that you have waived your right to use any witnesses and non-disclosed information in this litigation pursuant to F.R.C.P. 37(c)(1).

On settlement, if you want to have further discussions, you need to make another offer that is a lot better than your past offer of \$40,000. Based on your response to my offer after the CMC, it looks like this case will continue for a while. We do not want to appear to be overly aggressive, but we do need to press this case forward and insist that you comply with the court-ordered deadlines in this case and serve us with your initial disclosures, as we served you with ours.

Very truly yours,

  
Veronica Besmer

V1B:sbl  
cc: Williams-Sonoma, Inc.